Appl. No. 10/801,489
Amdt. dated August 8, 2008
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2616

PATENT

REMARKS/ARGUMENTS

Claims 1-15 are currently pending. Applicants have amended claims 1, 5, 9 and 12. Applicants submit that no new matter has been added as a result of these amendments.

Claims 1-15 stand rejected as being anticipated by ATM Forum, AF-VMOA-0145.00, "Voice and Multimedia Over ATM - Loop Emulation Service using AAL2," July 2000 (hereinafter "VMOA").

Reconsideration in view of the foregoing amendments and the following remarks is respectfully requested.

Rejections under 35 U.S.C. §102

Claims 1-15 stand rejected as being anticipated by VMOA.

Solely in order to expedite prosecution, Applicants have amended 1, 5, 9 and 12. Applicants submit that VMOA fails to teach all of the features recited in claims 1, 5, 9 and 12. For example, claim 1 recites, in part:

> control logic configured to format the channelized circuit data into one or more ATM cells, each ATM cell having a payload, *the payload having a plurality of octets and corresponding validity fields, each validity field being associated with one octet of the plurality of octets, the validity field indicating whether the associated octet contains valid data*

Applicants submit that VMOA fails to teach at least control logic for formatting channelized circuit data so that each ATM cell includes a payload comprising a plurality of octets and a validity field corresponding to each of the plurality of octets as recited claim 1.

The Examiner has interpreted the "the associated octet" recited in claim 1 to mean one of many associated octets and that the octets are in a many-to-many relationship with the validity fields. Applicants have amended claim 1 to clarify that the octets and the validity fields are in a one-to-one relationship where one validity field is associated with one octet.

The Office Action relies upon references presented in support of Official Notice taken by the Examiner in the Office Action mailed December 31, 2007 to teach these features of claim 1. See Office Action mailed Dec. 31, 2007, page 2, ¶2. In support of the Official Notice

that "an AAL2 is a special kind of ATM cell which has a CRC field", the Examiner has

presented two references: (1) McLoughlin, et al. "Adapting Voice for ATM Networks, An AAL2

Tutorial," 1997, page 5, Fig. 4, field P (hereinafter "McLoughlin") and (2) VMOA Fig. C-2,

validation field "SSTED CRC-32" or "FCS." The Examiner relies upon "SSTED CRC-32" of

McLoughlin to teach "the payload having a plurality of octets and corresponding validity fields,

each validity field being associated with one octet of the plurality of octets, the validity field

indicating whether the associated octet contains valid data" as recited in claim 1.

However, neither the SSTED CRC-32 of McLoughlin nor the FCS of VMOA

teach "the payload having a plurality of octets and corresponding validity fields, each validity

field being associated with one octet of the plurality of octets, the validity field indicating

whether the associated octet contains valid data" as recited in claim 1. Both the SSTED CRC-32

of McLoughlin and the FCS of VMOA are checksum fields. These checksum fields apply to

every octet of data in the payload (in a one-to-many relationship) and merely provide a means for

determining whether the data associated with the checksum has been corrupted or altered during

transmission.

In contrast, each of the validity indicators recited in claim 1 is associated with one

of the octets in the payload (in a one-to-one relationship) and indicates whether the data in the

associated octet is valid. Accordingly, the validity indicators recited in claim 1 provide a finer

level of granularity than the CRC-32 field of McLoughlin referenced by the Examiner because

the validity indicators of claim 1 enable individual octets in the payload to be marked as valid or

invalid. If the validity field for an octet is marked valid, the octet includes data and should be

processed at the receiving end. If the validity field for an octet is marked invalid, the octet does

not contain data and can be ignored at the receiving end. By selectively marking some of the

plurality of octets as invalid, the channelized circuit data may be transmitted at the arbitrary rate.

See specification at ¶ [0013]-[0014].

The checksum fields identified by the Examiner cannot be used to achieve this

result, because the CRC field requires that *all* of the data in the ATM cell be read in order to

determine if a checksum calculated for the data at the receiving end matches the value of the

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checksum stored in the CRC field. Therefore, the CRC of the AAL2 packets cited by the Examiner in support of the Official Notice perform a very different function that the validity indicators recited in claim 1.

For at least the reasons provided, VMOA fails to anticipate claim 1. Independent claims 5, 9, and 12 should be allowable for similar reasons as claim 1. Furthermore, dependent claims 2-4, which depend from claim 1, claims 6-8, which depend from claim 5, claims 10 and 11, which depend from claim 9, and claims 13-15, which depend from claim 12, should also be in condition for allowance at least due to their dependence from claims 1, 5, 9, and 12, respectively.

Accordingly, withdrawal of the rejection of claims 1-15 is respectfully requested.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,

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